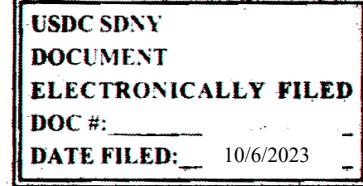


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Kerry Kotler,

17-cv-239 (CS) (VR)

Plaintiff,

ORDER

-against-

C. Boley, et al.,

Defendants.

VICTORIA REZNIK, United States Magistrate Judge:

By letter, dated September 29, 2023, Plaintiff, pro se, “request[s] that the Court direct the Clerk of the Court to issue a subpoena, or alternatively, that the Court issue an Order, directing the Office of Dutchess County District Attorney, as a non-party to the action, to produce the records it generated and maintains regarding the incident at issue” in this action. (ECF No. 128 at 1). Plaintiff explains that “records that just came into [his] possession” necessitate the instant subpoena. (*Id.*).

However, discovery in this action closed on September 12, 2023. In January 2023, Judge Karas entered a Case Management and Scheduling Order, which provided that discovery would conclude on July 14, 2023, and that there would be “no extensions of the deadline for completion of discovery past the date discovery is scheduled to be completed” without Judge Karas’s permission. (ECF No. 75). In June 2023, Plaintiff wrote to Judge Karas, requesting “an additional 60 days to complete discovery.” (ECF No. 103). Judge Karas granted the request but stated that “there will [be] no further extensions of discovery under any circumstances.” (ECF No. 109). Accordingly, because discovery closed on September 12, 2023, and because I lack

authority to reopen discovery, I cannot grant Plaintiff's request. If Plaintiff needs to conduct additional discovery, he is directed to address his request to reopen discovery to Judge Karas.

For the foregoing reasons, Plaintiff's request is **DENIED**.

SO ORDERED.

DATED: White Plains, New York
October 6, 2023



VICTORIA REZNIK
United States Magistrate Judge